

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

vs.

DANIEL LEVETO,

Defendant.

Crim. No. 01-06 Erie

ORDER

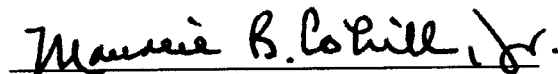
The Court has learned that appellate counsel in this case was unable to file Transcript Purchase Order forms in this case because this District requires that documents must be filed electronically by counsel who have entered an appearance. As a result, On August 11, 2006, the Clerk of Court for the United States Court of Appeals for the Third Circuit filed an Order to the Clerk of Court for the Western District of Pennsylvania in regard to Defendant's appellate counsel's efforts to secure transcripts for purposes of appeal. As explained by the Clerk of Court for the Court of Appeals:

In this particular situation, transcripts are to be ordered incident to a proceeding in [the United States Court of Appeals for the Third Circuit]. Therefore, the production of copies of the transcripts is governed by the Circuit's Court Reporter Plan which requires that the Court Reporter [] prepare copies of transcripts whenever a party to an appeal requests them, subject only to the condition that the party making the request complete the necessary financial arrangements. In this regard it is noted that this Court's bar is national, and membership in the bar of any District Court within the Circuit is not a prerequisite for entering an appearance in this Court.

(Doc. 147.) Appellate counsel has completed the necessary Transcript Purchase Order forms, made the necessary financial arrangements with each court reporter, and in fact, the transcripts appear to have been completed. In order for the Court of Appeals to access the transcripts, they must be filed on the docket in this Court. Thus, appellate counsel has submitted paper copies of the transcripts for filing in this case, and the transcripts have been accepted for filing.

In light of the fact that appellate counsel actions are clearly in furtherance of her responsibilities as counsel on appeal for the defendant and to comply with requirements of the Court of Appeals, the Court will Order that appellate counsel in this action shall be permitted to file the necessary documents related to defendant's appeal by means other than the Court's electronic filing system and without entering an appearance in the Western District of Pennsylvania.

AND NOW, to-wit, this 29th day of August, 2006, it is HEREBY ORDERED, ADJUDGED, and DECREED that Defendant's appellate counsel, Victoria B. Eiger, Esquire, may file necessary documents related to defendant's appeal by means other than the Court's electronic filing system and without entering an appearance in the Western District of Pennsylvania.


Maurice B. Cohill, Jr.
Senior United States District Judge

cc: Victoria B. Eiger, Esquire
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